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IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSEPH MARCUS SILVA,

Defendant.

1:23-CR-00163-JLT-SKO

PRELIMINARY ORDER OF
FORFEITURE

Based upon the plea agreement entered into between the United States of America and defendant Joseph Marcus Silva, it is hereby ORDERED, ADJUDGED, AND DECREED as follows:

1. Pursuant to 26 U.S.C. § 5872(a) and 28 U.S.C. § 2461(c), defendant Joseph Marcus Silva's interest in the following property shall be condemned and forfeited to the United States of America, to be disposed of according to law:

- a. one silencer, black in color,
- b. handgun, unknown manufacturer, no serial number,
- c. handgun, unknown manufacturer, no serial number,
- d. handgun, unknown manufacturer, no serial number,
- e. handgun, unknown manufacturer, no serial number,
- f. handgun, unknown manufacturer, no serial number,
- g. handgun, unknown manufacturer, no serial number,
- h. handgun, unknown manufacturer, no serial number,
- i. handgun, unknown manufacturer, no serial number,
- j. Ziplock bag containing hobby fuses,
- k. JB Weld plastic bonder plunger mix,
- l. one 3D printed destructive device similar to a military claymore mine, with the words "FRONT TOWARDS ENEMY" printed on it,

- m. one glass tube with BBs and flash powder with an inserted fuse,
- n. glass device found in kitchen drawer,
- o. Hogdon Triple Seven propellant powder,
- p. one M67 military type grenade,
- q. three 5.56 caliber magazines and one 7.62 caliber magazine,
- r. three 3D printed magazines,
- s. miscellaneous firearms parts and accessories,
- t. all ammunition seized in this case.

2. The above-listed property constitutes firearms involved in a violation of 26 U.S.C. § 5861(d) and (f).

3. Pursuant to Rule 32.2(b), the Attorney General (or a designee) shall be authorized to seize the above-listed property. The aforementioned property shall be seized and held by the Bureau of Alcohol, Tobacco, Firearms and Explosives, in their secure custody and control.

4. a. Pursuant to 28 U.S.C. § 2461(c), incorporating 21 U.S.C. § 853(n), and Local Rule 171, the United States shall publish notice of the order of forfeiture. Notice of this Order and notice of the Attorney General's (or a designee's) intent to dispose of the property in such manner as the Attorney General may direct shall be posted for at least thirty (30) consecutive days on the official internet government forfeiture site www.forfeiture.gov. The United States may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in the property that is the subject of the order of forfeiture as a substitute for published notice as to those persons so notified.

b. This notice shall state that any person, other than the defendant, asserting a legal interest in the above-listed property, must file a petition with the Court within sixty (60) days from the first day of publication of the Notice of Forfeiture posted on the official government forfeiture site, or within thirty (30) days from receipt of direct written notice, whichever is earlier.

5. If a petition is timely filed, upon adjudication of all third-party interests, if any, this Court will enter a Final Order of Forfeiture pursuant to 26 U.S.C. § 5872(a) and 28 U.S.C. § 2461(c), in which all interests will be addressed.

IT IS SO ORDERED.

Dated: **November 21, 2024**


UNITED STATES DISTRICT JUDGE